

OLENE S. WALKER
Governor

GAYLE F. McKEACHNIE
Lieutenant Governor

December 22, 2003

John Gefferth, Environmental Engineer
Consolidation Coal Company
P.O. Box 566
Sesser, Illinois 62884

Re: Bond Reduction, Consolidation Coal Company, Emery Deep Mine,
C/015/0015, Task ID #1773, Outgoing File

Dear Mr. Gefferth:

The above-referenced amendment is conditionally approved upon receipt of five clean copies prepared for incorporation. Please submit these copies by January 16, 2004. Once we receive these copies, final approval will be granted, at which time you may proceed with your plans.

A stamped incorporated copy of the approved plans will also be returned to you at that time, for insertion into your copy of the Mining and Reclamation Plan. A copy of our Technical Analysis is enclosed.

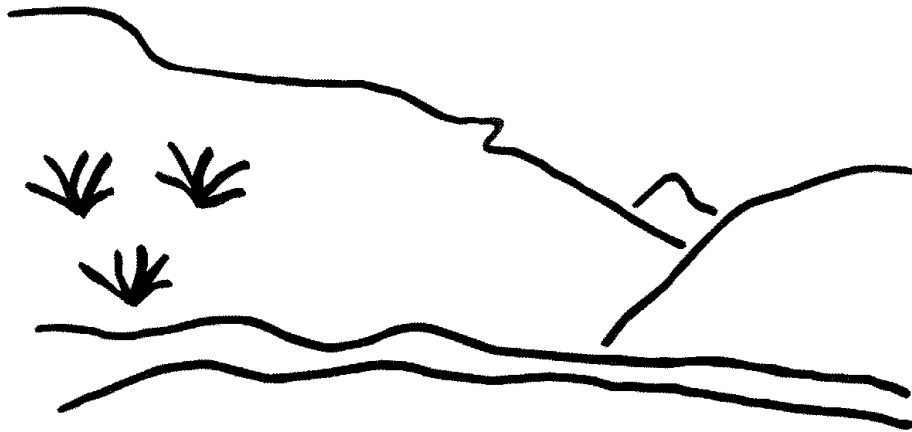
If you have any questions, please call me at (801) 538-5325 or Wayne Western at (801) 538-5263.

Sincerely,

Daron R. Haddock
Permit Supervisor

an
Enclosure
cc: Price Field Office
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State of Utah



Utah Oil Gas and Mining

Coal Regulatory Program

Emery Deep Mine
Bond Reduction
C/015/001, Task ID #1773
Technical Analysis
December 8, 2003

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TECHNICAL ANALYSIS

The Division ensures compliance with the Surface Mining Control and Reclamation Act of 1977(SMCRA). When mines submit a Permit Application Package or an amendment to their Mining and Reclamation Plan, the Division reviews the proposal for conformance to the R645-Coal Mining Rules. This Technical Analysis is such a review. Regardless of these analyses, the permittee must comply with the minimum regulatory requirements as established by SMCRA.

Readers of this document must be aware that the regulatory requirements are included by reference. A complete and current copy of these regulations and a copy of the Technical Analysis and Findings Review Guide can be found at <http://ogm.utah.gov/coal>

This Technical Analysis (TA) is written as part of the permit review process. It documents the Findings that the Division has made to date regarding the application for a permit and is the basis for permitting decisions with regard to the application. The TA is broken down into logical section headings which comprise the necessary components of an application. Each section is analyzed and specific findings are then provided which indicate whether or not the application is in compliance with the requirements.

Often the first technical review of an application finds that the application contains some deficiencies. The deficiencies are discussed in the body of the TA and are identified by a regulatory reference which describes the minimum requirements. In this Technical Analysis we have summarized the deficiencies at the beginning of the document to aid in responding to them. Once all of the deficiencies have been adequately addressed, the TA will be considered final for the permitting action.

It may be that not every topic or regulatory requirement is discussed in this version of the TA. Generally only those sections are analyzed that pertain to a particular permitting action. TA's may have been completed previously and the revised information has not altered the original findings. Those sections that are not discussed in this document are generally considered to be in compliance.

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TECHNICAL ANALYSIS

INTRODUCTION

INTRODUCTION

The Division now requires that the Division's bond calculations be included in the MRP. This will enable readers of the MRP to understand how the bond was calculated.

The Division gave the Permittee a copy of the Division's bond calculations. The Permittee then submitted those calculations to the Division in this amendment.

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INTRODUCTION

RECLAMATION PLAN

RECLAMATION PLAN

BONDING AND INSURANCE REQUIREMENTS

Regulatory Reference: 30 CFR Sec. 800; R645-301-800, et seq.

Analysis:

Determination of Bond Amount

R645-301-830.110 requires that the Division determine the bond amount and R645-301-830.140 requires that the bond be based on information supplied by the Permittee. In the past, the Permittee has only included their reclamation cost estimates in the MRP. The Division numbers are usually slightly different than the Permittee's. Therefore, someone who has only access to the MRP would not be able to determine how the bond was calculated. In addition, there is no consistency about the bond number. The bond amount in the MRP is usually different than the posted bond, the amount of the bond report, and the Division's calculations.

The Permittee was given a copy of the Division's bond calculations and submitted them as amendment 1773. The information in the submittal is the same as the information in the Division bond calculations.

Findings:

The information provided in this amendment is considered adequate to meet the minimum requirements of this section of the regulations.